

EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS
OF RELEASE AND BOND

V.

Russell Ochocki

Case No.:

10-1411M

Defendant

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released as follows, subject to the Standard Conditions of Bond on the reverse and:

- ☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
- ☒ Upon Unsecured Bond executed by defendant in the amount of \$ _____, or
- ☐ Upon Secured Appearance Bond as provided herein.

\$200,000

Additional Conditions of Release

Upon finding that release under the standard conditions detailed on the reverse will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, IT IS FURTHER ORDERED that the defendant is subject to the following additional conditions of release:

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: Chicago as with notice to approved by PTS, PA EDNY, 60NY
- ☐ 2. The defendant shall avoid all contact and not associate with any of the following persons or entities: _____
- ☐ 3. The defendant shall avoid and not go to any of the following locations: _____
- ☒ 4. The defendant shall surrender any and all passports to the U.S. Pretrial Services Agency by _____ and shall not apply for any other passport.
- ☒ 5. Defendant is placed under the express supervision of the Pretrial Services Agency, subject to the Special Conditions on the reverse, if applicable, and
- ☒ is subject to random visits by a Pretrial Services officer at defendant's home and/or place of work;
- ☒ must report to that agency () in person _____ times per _____ and/or () by telephone _____ times per _____
- ☒ is subject to home detention with electronic monitoring with the following conditions: as directed by PTS
- ☒ must undergo () random drug testing () evaluation and/or () treatment for: () substance abuse () alcoholism () mental health problems.
- ☒ must pay the cost of treatment and/or electronic monitoring by with personal funds and/or insurance.
- ☒ 6. Other Conditions: follow Pretrial Addendum

APPEARANCE BOND

The undersigned defendant and sureties jointly and severally acknowledge that I/we and my/our personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ 200,000. The undersigned agree(s) that this obligation is secured with his/her/their interest in the following property ("Collateral") which he/she/they represent is/are free and clear of liens except as otherwise indicated:

- ☐ cash deposited in the Registry of the Court the sum of \$ _____;
- ☐ premises located at: _____ owned by _____
- ☐ I/We also agree to execute a confession of judgment in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before _____.

Other Conditions: _____

Address: 433 W 54 ST #14 NYC 10019Address: 516 W 47 ST #55H, NY NY 10036Address: 2250 Jackson Ave, Cray, NY 1101

The Court has advised the defendant of the conditions of release per 18:3142(h)(1) and (h)(2). This bond is conditioned upon the appearance of the defendant and is subject to the Standard Conditions of Bond set forth on the reverse. If the defendant fails to appear as ordered or notified, or any other condition of this bond is not met, this bond shall be due forthwith.

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth on the reverse of this form.

Release of the Defendant is hereby ordered on

12/1/10

US

Canary - Courtroom Deputy

Pink - Pretrial Services

Goldenrod - Defendant

S/Levy

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RECOMMENDATION:

Pretrial Services respectfully recommends that the defendant's release be contingent upon a substantial bond secured by property and cosigned by at least one financially responsible surety, with pretrial supervision imposed. Given that this offense falls under the Adam Walsh Child Protection and Safety Act of 2006, it is respectfully recommended that the following conditions be imposed:

- The defendant is placed under the supervision of the U.S. Pretrial Services Agency. He must report to the U.S. Pretrial Services Agency as directed and is subject random visits by a Pretrial Services officer at his residence and place of employment, if applicable.
- The defendant must surrender his passport and must not apply for any other passport.
- ~~-The defendant's travel is restricted to New York City.~~
- ~~-The defendant is subject to home detention with location monitoring. He must remain at his residence at all times, except for employment; education; religious services; medical or mental health treatment; attorney visits; court appearances; court ordered obligations; or other activities pre approved by the U.S. Pretrial Services Agency.~~
- The defendant shall not have any contact or association with any individual under the age of 18, except when the minor is in the presence of another adult who is the parent or legal guardian of the minor. The defendant may not communicate with any individual under the age of 18 in writing, over the telephone or via any electronic means.
- The defendant shall avoid areas primarily frequented by individuals under the age of 18, such as school yards, parks, playgrounds, fast food restaurants near schools, and arcades.
- The defendant must avoid all contact, direct or indirect, with any person who is or who may become a victim or potential witness in the subject investigation or prosecution.
- The defendant must maintain residence at a location approved by the U.S. Pretrial Services Agency.
- The defendant may not possess any firearm, destructive device, or other dangerous weapons.
- The defendant must undergo a mental health evaluation and/or treatment specific to the offense charged, as directed by the U.S. Pretrial Services Agency.
- The defendant shall pay all or part of the cost of the location monitoring program and any required mental health treatment based on his ability to pay, as determined by the U.S. Pretrial Services Agency.
- The defendant may not use a computer and/or access the Internet except as may be necessary for employment and/or education purposes only.
- The U.S. Pretrial Services Agency may inspect any computer or devices with Internet access belonging to the defendant or located within his residence, and install computer monitoring software as deemed appropriate. The defendant must pay all or part of the cost of the monitoring software installed based on his ability to pay as determined by the U.S. Pretrial Services Agency.

Original Copy for Judicial Officer ☐AUSA Copy ☐Defense Counsel Copy ☐File Copy ☐